



POSO CREEK IRWMP
Management Group

1101 Central Avenue, Wasco, CA 93280
661-758-5113

September 22, 2009

Mr. Ralph Svetich
Division of Planning and Local Assistance
State of California
Department of Water Resources
901 P Street
Sacramento, CA 95814

**Re: Response to Regional Acceptance Process Comments Posted September 1, 2009 Regarding the
Poso Creek Integrated Regional Water Management Plan**

Dear Mr. Svetich:

After reviewing the Department of Water Resources (DWR) draft findings regarding the Poso Creek Integrated Regional Water Management (IRWM) Plan, Regional Acceptance Process (RAP) review, we write to express our concerns. While we appreciate the recognition of the viability of the Poso Creek Regional Water Management Group (RWMG, Group or Region), by allowing the Region to apply for funding under Senate Bill XX1, we object to your findings that the RWMG “must consolidate their IRWM planning efforts with the Kern County IRWM Region” (emphasis added), for subsequent funding rounds. The mere choice of those particular words leads us to the conclusion that DWR is overstepping its authority pursuant to California Water Code (CWC). While DWR is provided broad authority to oversee the development of these plans, the basic criteria for serving as a functional planning group are met. Thoughtful and deliberate considerations were made in creation of the Poso Creek RWMG and the definition of the area encompassed by the Group, formed under the guidance of CWC Section 10539. The use of the words “must” and “consolidate” are of the most concern. If DWR is suggesting that the Poso Creek Region can stand as a functional Region and its members apply for future Grant Funding under Proposition 84 or subsequent programs, as long as communications are occurring on a regular basis with the developing Kern IRWM Region, these concerns go away. However it is not clear that that is the case.

The Poso Creek RWMG has demonstrated its functionality through many successful programs. Since formation of the Group in 2005, regular meetings have occurred. As a result of those meetings and the regional planning effort, programs have been implemented such as water delivery exchanges and banking among the Group, receiving Federal grants for construction of facilities and system optimization, and coordination of water management efforts with wildlife interests and communities within the Region. Because of the size and common interests of the Group, it has proven to be a very functional and effective group, leading to increased water management activities in the Region, which ultimately benefit the environment and economic conditions within the State and the Country.

The Regional Acceptance Process Summary draft also states concerns expressed by the Community Water Center. However those concerns are not counter balanced with the support expressed by the Self-Help Enterprises, Inc., who appeared at the DWR Interview and represents a much larger segment of the



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disadvantaged communities in the Poso Creek Region. We request that DWR include mention of that support.

In regard to coordination or consolidation with other Regions, the Poso Creek RWMG has been attending and to the extent allowed, participating in other groups' meetings. Representatives of the Poso Creek RWMG regularly attend the Tulare Basin Integrated Regional Planning Group meetings, the Partnership for the San Joaquin Valley, the "North Group of Cities" within the Kern IRWM meetings, and the developing Kern County IRWM Participant/Stakeholder meetings. These meetings provide a forum for other IRWMP Groups to coordinate efforts in developing plans that create the most benefit to the largest region practical. However, many of these Groups acknowledge or recognize the need for the smaller Groups to exist and function on their own for the benefit of their constituents and long-term water planning in their Region.

In regard to the comment in the RAP Summary for the Kern County IRWM Region "*Additionally, the Kern County IRWM Region overlaps with the Poso Creek IRWM Region. It appears that the Poso Creek and Kern County IRWM Regions are planning for water resources.*" The agricultural special districts within the Poso Creek IRWM boundary have the responsibility of delivering surface and groundwater supplies to agricultural growers. The Cities within the Poso Creek boundary, who were encouraged by the Poso Creek RWMG to participate in the developing Kern IRWM process, are responsible for delivery of treated groundwater for drinking water within their respective district boundaries. For the Cities and the agricultural water district boundaries they do not overlap. Therefore, in terms of water management responsibility of the local districts, it is misleading to conclude there is considerable overlap. It is appropriate to recognize the shared interest in groundwater management the local districts and smaller communities have expressed through the planning and implementation actions identified in the DAC Working Group of the Poso Creek IRWM Plan and through the smaller communities participation in the neighboring IRWMs, such as, the developing Kern IRWM.

Furthermore, it is important to note the Poso Creek RWMG offered in-kind services to the developing Kern IRWM at the beginning of their planning process, but was denied participation without being assessed the same fee as participants without an adopted IRWM Plan.

Given our expressed concerns, we propose that DWR reconsider its position on consolidation, or at least define it in a manner that respectfully preserves the identity of the Poso Creek RWMG. We would like very much to meet with you prior to you finalizing the RAP findings in order to discuss our position and collectively develop the best solutions for the Region and the State.

Finally, we sincerely appreciate the opportunity to respond to the RAP findings. Please contact Paul Oshel at (661) 758-5113 if you have any questions in this regard.

Sincerely,

Paul Oshel, P.E.
District Engineer



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Acting Chairman for Poso Creek RWMG

**CC: Poso Creek RWMG
Tracy Billington, DWR, Sacramento
Jim Lin, DWR, Sacramento**